

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listing of claims in the application.

Listing of Claims:

DS Sub B1
Claim 1. (Currently Amended) An article, comprising:
a beverage container having an opening through which a beverage in the container can be dispensed from the container; and
a cap adapted to be removably secured to said container to cover said opening,
wherein a material comprising said cap comprises at least one thermochromic material in admixture with at least one thermoplastic polymer resin, said thermochromic material selected such that the cap has a visually altered appearance when the cap temperature changes within a temperature range of -25 to 85°C,
and wherein said cap further comprises at least one non-thermochromic printing ink layer on at least a portion of an outer surface thereof.

Claim 2. (Original) The article as claimed in claim 1, wherein said temperature range is -10 to 50°C.

Claim 3. (Original) The article as claimed in claim 1, wherein said temperature range is 0 to 25°C.

Claim 4. (Original) The article as claimed in claim 1, wherein said temperature range is 5 to 20°C.

Claim 5. (Canceled).

Claim 6. (Currently amended) The article as claimed in claim 1, wherein said ~~material comprising said cap further comprises at least one~~ thermoplastic polymer resin is selected from the group consisting of polypropylene, polyethylene, copolymers of polypropylene and polyethylene, and combinations thereof.

Claim 7. (Original) The article as claimed in claim 6, wherein said polyethylene is selected from the group consisting of linear, high density, low density polyethylene, and combinations thereof.

Claim 8. (Original) The article as claimed in claim 1, wherein said visibly altered appearance comprises a change in a color of said cap.

Claim 9. (Original) The article as claimed in claim 1, wherein said cap is a one-piece cap.

Claim 10. (Original) The article as claimed in claim 1, wherein said cap comprises more than one piece.

Claim 11. (Original) The article as claimed in claim 1, further comprising a beverage, and wherein said beverage is carbonated or non-carbonated.

Claim 12. (Currently Amended) The article as claimed in claim 1, wherein said cap provides a hermetic seal on said container.

Claim 13. (Original) A method for making the article as claimed in claim 1, comprising contacting said cap with said container.

Claim 14. (Original) The method as claimed in claim 13, further comprising, prior to said contacting, filling said container with said beverage.

Claims 15-18 (Canceled).

Claim 19. (New) The cap as claimed in claim 1, wherein the admixed thermochromic material is present in the cap in an amount of 1-50% by weight, based on the weight of the cap.

Claim 20. (New) The cap as claimed in claim 1, wherein the thermoplastic polymer resin of the cap further comprises at least one selected from the group consisting of ultraviolet absorber, antioxidant, dye, pigment, optical brightener, metal soap, surfactant, water repellent, filler, nucleation agent, antistatic agent, foaming agent, slip agent, and combinations thereof.

BASIS FOR THE AMENDMENTS

The broadest claim in the case has been amended to require that the thermochromic material is admixed with the plastic composition of the cap body and also to require at least one non-thermochromic printing ink layer on at least a portion of an outer surface of the cap. Support is found, for example, in the claims as originally filed; the specification at the paragraph bridging pages 5 and 6; and specification page 6, lines 6-12. Claim 5 has been canceled in view of the amendments to Claim 1.

New Claims 19 and 20 have been added, and these are drawn to a narrower and more preferred embodiments of the invention. These claims find support at specification page 6, lines 13-23.

Figure 1 has been amended, as requested by the Examiner, to include the legend, "PRIOR ART". In addition, the drawings have been corrected to remove the objectionable informalities. Support is found in the drawings as originally filed. The specification has been similarly amended.

The drawings and specification have been amended to remove the objectionable informalities.

No new matter is believed to be added by entry of the amendments. Entry and favorable consideration of the amendments are thus kindly requested. Upon entry of the amendments, Claims 1-4, 6-14 and 19-20 will be active and in condition for allowance.